b.) Remarks

Claims 1, 2, 7-19, 26-30 and 32-38 have been cancelled. Claims 25 and 31 have been amended simply in order to depend from the elected claims, and claims 69 and 70 are added in order to recite preferred embodiment of the present invention. New claims 69 and 70 mirror claims 24 and 31. Accordingly, no new matter has been added.

Claim 22 is withdrawn from prosecution as not reading on the selected species. Rejoinder of claim 22 is respectfully requested upon allowance of the selected species and subsequent expansion of search pursuant to 37 C.F.R. §1.141.

Rejoinder of combination claims 25-31 is also respectfully requested upon the allowance of the elected subcombination claims pursuant to MPEP §806.05(c).

Claims 20-23 and 24 are rejected under 35 U.S.C. 103(a) as being obvious over Grzelak et al. in view of Matsuoka.

In support to this rejection, the Examiner states that Grzelak (U.S. 2006/0128694) teaches the elected species (E)-8-(3,4-dimethoxystyryl)-1,3-dietyl-7-methylxanthine[1] as an A_{2a} antagonist for treating extra-pyramidal syndrome associated with Parkinson's disease. Matsuoka (EP 1 177 797) is relied upon as teaching A_{2a} antagonists of the same basic core structure as formula (I) of the present claims and that A_{2a} antagonists are useful to treat symptoms of Parkinson's disease, including anxiety.

This rejection is respectfully traversed.

At the outset, Grzelak was not filed until October 13, 2005, so that reference is not available as prior art to the present application which has an international

[1] When R^1 and R^2 are ethyl, R^3 is lower alkyl and R^4 is $-(CH_2)_n-R^5$. Applicants do not concede such compound is exemplified in the 2006/0128694 publication but for the present, are not traversing on that basis.

filing date of June 10, 2004 and a priority date of June 10, 2003. Second, although Grzelak claims benefit of U.S. application No. 10/738, 906 (filed December 17, 2003) and U.S. application No. 60/435,321 (filed December 19, 2002), the '906 application does not contain the discussion of Compound X relied upon by the Examiner from page 2, last 3 lines to page 3, line 4 of the Office Action.

That is to say, Grzelak '906 does not teach (E)-8-(3,4-dimethoxystyryl)-1,3-dietyl-7-methylxanthine.

This deficiency is not addressed by Matsuoka. Indeed, contrary to the Examiner's statement, Matsuoka does not even teach or suggest use of A_{2A} antagonists for treating anxiety. Matsuoka only teaches using dual A_1A_{2a} antagonist to treat Parkinson's disease. In this regard, Matsuoka specifically describes that affinity of the dual A_1A_{2a} antagonist for A_1 receptor is higher than that of A_{2a}. Therefore, Matsuoka does not teach or suggest use of an A_{2a} antagonist to treat anything, let alone anxiety.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 20-25, 31, 69 and 70 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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